

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.28334 of 1998

Dated 14th Day of March, 2007

Between:

Iska Chenchu Venkata Subbaiah
Petitioner

And

The Joint Collector, Nellore and another Respondents

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the 1st respondent in suspending “B” Form licence of M/s.Sri Venkateswara Theatre, Rapur in Nellore District and imposing penalty of Rs.10,000/- vide his order dated 7.9.1998, as arbitrary and illegal, and consequently quash the order.

The brief facts of the case are that the petitioner has been running a Semi permanent Theatre by name M/s.Sri Venkateswara Theatre at Rapur in Nellore District under valid licence since 1984 and paying taxes to the Government regularly. The licence is renewed from time to time. The petitioner, because of his old-age decided to give managing partnership to one P.Pradeep Reddy and submitted all relevant documents to the Registrar of Firms, for change of name of M/s. Sri Venkateswara Theatre, and accordingly, a partnership deed was executed and registered with the Registrar of Firms on 21.6.1995. Now, the petitioner’s grievance is that the 1st respondent has suspended “B” Form licence of M/s.Sri Venkateswara Theatre and also imposed penalty of Rs.10,000/- on him.

Heard the learned counsel for both the parties.

In the counter affidavit, it is stated that on 6.11.1998, the writ petitioner filed an application before the licencing authority stating that he would withdraw this writ petition and requested him to grant one month’s time for production of the registered document in connection

with the transfer of "B" Form licence. Based on his request, the 'B' Form licence for the Theatre was temporarily restored and the management of the petitioner was permitted to run the Theatre subject to the condition that the management has to submit the required documents within 30 days as directed by the Collector in proceedings dated 9.11.1998.

In the light of the above, this Court is of the view that no orders are required to be passed in this writ petition, and accordingly, the same is closed. No costs.

bcj

14.03.2007